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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Taketo WATANABE et al.**

Group Art Unit: **2814**

Serial No.: **10/633,538**

Examiner: **Hoai V. Pham**

Filed: **August 5, 2003**

Confirmation No.: **6451**

For: **SEMICONDUCTOR DEVICE, MANUFACTURING METHOD  
THEREOF, AND CMOS INTEGRATED CIRCUIT DEVICE**

Attorney Docket Number: **030927**  
Customer Number: **38834**

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

December 3, 2004

Sir:

In response to the requirement for an election of species dated November 3, 2004, applicants provisionally elect to prosecute Embodiment 3, Figure 22. It is believed that claims 1-6, 8-11, and 13-15 are read on the elected species.

This election is made with traverse. As for the CMOS integrated circuit devices according to Embodiments 1 and 3 of the present invention, through the methods of forming them may be different, the structures thereof may share common characteristics (for example, compare the structure of a CMOS integrated circuit device of Embodiment 1 shown in Fig. 12 with that of Embodiment 3 shown in Fig. 22I). Thus, it is believed that all apparatus claims 1-6, 8-11 and 13-15 are readable on the elected species and all claims 1-6, 8-11 and 13-15 are generic claims.

By: **Taketo WATANABE et al.**

Serial No. **10/633,538**

The applicant respectfully requests an early examination on the elected claims and favorable action on the merits. If the Examiner has any questions with this Response, please feel free to call the undersigned at the indicated telephone number.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 50-2866..

In the event any additional fees are required in connection with this response, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

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